

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**JONATHAN CULPEPPER, # 175652**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 1:17cv234-LG-RHW**

**COREY MATAYA, MARTIN TEROLD,  
LIZ BARTON, and ROD PARKER**

**DEFENDANTS**

**ORDER STRIKING AMENDED COMPLAINT  
AND REQUIRING PLAINTIFF TO RESPOND**

This matter is before the Court sua sponte. Pro se Plaintiff Jonathan Culpepper is incarcerated with the Mississippi Department of Corrections and brings this action challenging the conditions of his confinement.

Culpepper filed an amended complaint [5] that he did not sign, in violation of Federal Rule of Civil Procedure 11(a). The Court mailed the amended complaint back to him and directed him to sign it by December 18, 2017. When he did not comply, the Court entered two Orders to Show Cause [9, 14] and an Order to Resend [11]. All Orders [7, 9, 11, 14] were mailed to his address of record but were returned as undeliverable. To date, Culpepper still has not signed the amended complaint nor provided a change of address.

“Every pleading, written motion, and other paper must be signed by . . . a party personally if the party is unrepresented. . . . The court must strike an unsigned paper unless the omission is promptly corrected after being called to the . . . party’s attention.” Fed. R. Civ. P. 11(a). The amended complaint was not signed by Culpepper even after the Court noted the deficiency on December 4, 2017. Therefore, the Court must strike the amended complaint.

Additionally, the Court has considered and liberally construed the Complaint [1] and is of

the opinion that more information is needed in order to assess the allegations. Accordingly, Culpepper shall respond, in writing, to the following:

- (1) How did Corey Mataya violate your constitutional rights?
- (2) How did Martin Terold violate your constitutional rights?
- (3) How did Liz Barton violate your constitutional rights?
- (4) How did Rod Parker violate your constitutional rights?
- (5) Provide the (a) name and (b) address of each person you claim retaliated against you, and (c) explain how he or she did so.
- (6) Provide the (a) name and (b) address of each person you claim denied you clothes, a mattress, or access to hygiene, and (c) explain how he or she did so.
- (7) Provide the (a) name and (b) address of each person you claim subjected you to an unsanitary cell, and (c) explain how he or she did so.

The responses shall be filed with the Court no later than April 13, 2018.

**IT IS THEREFORE ORDERED** that pro se Plaintiff Jonathan Culpepper's amended complaint [5] should be, and is hereby, **STRICKEN**.

**IT IS FURTHER ORDERED** that Plaintiff shall file a response consistent with this Order, **no later than April 13, 2018**. Failure to timely comply with any Order of the Court may result in the dismissal of this case.

**SO ORDERED**, this the 30<sup>th</sup> day of March, 2018.

s/ Robert H. Walker  
UNITED STATES MAGISTRATE JUDGE